



Denmark

Ratified the European Convention on Human Rights in 1953

National Judge: Jon Fridrik KJØLBRO

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Alf Niels Christian ROSS (1959-1971), Helga PEDERSEN (1971-1980), Max SØRENSEN (1980-1981), Jørgen GERSING (1982-1988), Isi FOIGHÉL (1989-1998), Peer LORENZEN (1998-2014)

[List of judges of the Court since 1959](#)

The Court dealt with 50 applications concerning Denmark in 2019, of which 48 were declared inadmissible or struck out. It delivered 2 judgments (concerning 2 applications), which found at least one violation of the European Convention on Human Rights.

Applications processed in	2018	2019	2020*
Applications allocated to a judicial formation	37	58	38
Communicated to the Government	2	8	1
Applications decided:	43	50	24
- Declared inadmissible or struck out (Single Judge)	34	47	23
- Declared inadmissible or struck out (Committee)	3	1	1
- Declared inadmissible or struck out (Chamber)	1	0	0
- Decided by judgment	5	2	0

* January to July 2020

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).
Statistics on interim measures can be found [here](#).

Applications pending before the court on 03/07/2020	
Total pending applications*	52
Applications pending before a judicial formation:	35
Single Judge	15
Committee (3 Judges)	0
Chamber (7 Judges)	18
Grand Chamber (17 Judges)	2

*including applications for which completed application forms have not yet been received

Denmark and ...

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **626** Registry staff members.

Noteworthy cases, judgments delivered

Grand Chamber

[S., V. and A. v. Denmark](#)

22.10.2018

The case concerned the applicants' detention on 10 October 2009 for over seven hours when they were in Copenhagen to watch a football match between Denmark and Sweden. The authorities detained the applicants in order to prevent hooligan violence. The applicants unsuccessfully sought compensation before the Danish courts.

[No violation of Article 5 § 1 \(right to liberty and security\)](#)

[The Court was satisfied that the Danish courts had struck the right balance between the applicants' right to liberty and the importance of preventing hooliganism.](#)

[Biao v. Denmark](#)

24.05.2016

The case concerned the complaint by a naturalised Danish citizen of Togolese origin, Ousmane Biao, and his Ghanaian wife that they could not settle in Denmark. Notably, the Danish authorities refused to grant them family reunion as the couple did not comply with the requirement under the relevant domestic law (the Aliens Act) that they must not have stronger ties with another country, Ghana in their case, than with Denmark (known as the "attachment requirement"). The applicants also complained that an amendment to the Aliens Act in December 2003 – lifting the attachment requirement for those who held Danish citizenship for at least 28 years – resulted in a difference in treatment between those born Danish nationals and those, like Mr Biao, who had acquired Danish citizenship later in life.

[Violation of Article 14 \(prohibition of discrimination\) read in conjunction with Article 8 \(right to respect for private and family life\)](#)

[The Court further held that there was no need to examine the application separately under Article 8 of the Convention taken alone.](#)

[Sorensen & Rasmussen v. Denmark](#)

11.01.2006

Concerned the applicants' complaint about closed-shop agreements in Denmark.

[Violation of Article 11 \(freedom of association\)](#)

Freedom of expression cases (Article 10)

[Pedersen and Baadsgaard v. Denmark](#)

17.12.2004

Conviction for defamation of the applicants, journalists, for programmes concerning the police's handling of a murder case.

[No violation of Article 6 \(right to a fair trial within a reasonable time\)](#)

[No violation of Article 10](#)

[Jersild v. Denmark](#)

23.09.1994

Conviction of a journalist for aiding and abetting the dissemination of racist remarks through an interview on national television of the "Green jackets" (an extremist youth group).

[Violation of Article 10](#)

Chamber

Cases on Article 3 (prohibition of inhuman or degrading treatment)

[Aggerholm v. Denmark](#)

15.09.2020

The case concerned a complaint by a schizophrenic man about being strapped to a restraint bed in a psychiatric hospital for nearly 23 hours, one of the longest periods of such immobilisation ever examined by the European Court.

[Violation of Article 3](#)

[T.N. v. Denmark, T.N. and S.N. v. Denmark, S.S. and Others v. Denmark, P.K. v. Denmark and N.S. v. Denmark](#)

20.01.2010

The five cases concerned applications from nine Tamils claiming they risked persecution and ill-treatment by the authorities &/or the "Tamil Tigers" if deported from Denmark to Sri Lanka.

No violation of Article 3 if orders to deport the applicants to Sri Lanka were to be implemented.

Cases concerning the right to liberty and security (Article 5)

Vasileva v. Denmark

25.09.2003

Concerned the detention in police custody overnight of the applicant, a 67 year old woman in poor health, after she had had a dispute with a ticket collector on public transport and refused to disclose her identity.

[Violation of Article 5 § 1](#)

Cases dealing with Article 6

Right to a fair trial

Hauschildt v. Denmark

24.05.1989

Concerned the impartiality of tribunals which had convicted the applicant, where certain of the judges involved had also made pre-trial decisions ordering his detention on remand (Administration of Justice Act was subsequently amended).

[Violation of Article 6](#)

Right to a fair hearing/trial within a reasonable time

Length of civil proceedings cases:

Valentin v. Denmark

26.03.2009

[Violation of Articles 6 \(right to a fair trial within a reasonable time\) and 13 \(right to an effective remedy\) and Article 1 of Protocol No. 1 \(protection of property\)](#)

Christensen v. Denmark

22.01.2009

[Violation of Articles 6 and 13](#)

Iversen v. Denmark

28.09.2006

[Violation of Article 6 §1](#)

Kurt Nielsen v. Denmark

15.02.2000

[Violation of Article 6 § 1](#)

Length of criminal proceedings in "tax asset stripping" cases ("selskabstmmersager"):

Hasslund v. Denmark

11.12.2008

Moesgaard Petersen v. Denmark

11.12.2008

[Violations of Article 6 § 1 \(right to fair trial within a reasonable time\)](#)

**Article 7
(no punishment without law)**

Custers, Deveaux and Turk v. Denmark

03.05.2007

Members of Greenpeace complained about their conviction by the Danish courts of trespassing for taking part in a campaign in 2001 near the American "Thule Air Base" in North-West Greenland (an act which they alleged, at the time it had been committed, had not amounted to a criminal offence under Danish law).

[No violation of Article 7](#)

Cases concerning private and family life (Article 8)

Levakovic v. Denmark

23.10.2018

The case concerned a decision to expel the applicant to Croatia, with which he had no ties apart from nationality, after he was tried and convicted for crimes committed in Denmark, where he had lived most of his life.

[No violation of Article 8](#)

Assem Hassan Ali v. Denmark

23.10.2018

The case concerned the expulsion from Denmark of a Jordanian national, who has six children of Danish nationality. He was deported in 2014 following convictions for drugs offences.

[No violation of Article 8](#)

Osman v. Denmark

14.06.2011

The case concerned the refusal to renew the Danish residence permit of a Somali girl, who had grown up with her family in Denmark, after she spent more than two years, allegedly against her will, living in Kenya. The right to family reunification for young people of her age (15-17) in Denmark was abolished while she was away.

[Violation of Article 8](#)

[Amrollahi v. Denmark](#)

11.07.2002

Impossibility for an Iranian citizen, convicted in Denmark of drugs offences and ordered to be expelled with a life-long ban on his return, to continue his family life with his Danish wife and child outside Denmark.

[Violation of Article 8 if the decision to expel the applicant to Iran were to be implemented](#)

Inadmissible application

[Alam v. Denmark](#)

29.06.2017

The application concerned an expulsion and life-long ban of a Pakistani national from Denmark. In 2013 Ms Alam was convicted of aggravated attempted robbery, murder and arson and sentenced to 16 years' imprisonment and expulsion from Denmark. Ms Alam, who has spent nearly her entire life in Denmark and has permanent residence, complained that her expulsion would separate her from her children, born in Denmark in 2000 and 2004, and from the husband she recently married in 2015.

[Application declared inadmissible for non-exhaustion of domestic remedies](#)

Freedom of expression cases (Article 10)

[Frisk and Jensen v. Denmark](#)

05.12.2017

The case concerned two Danish journalists working for a national television station and their conviction of defamation following a programme broadcast in 2008 criticising the treatment of cancer at Copenhagen University Hospital.

[No violation of Article 10](#)

Inadmissible application

[Roj TV A/S v. Denmark](#)

24.05.2018

The case concerned the applicant company's conviction for terrorism offences by Danish courts for promoting the Kurdistan Workers' Party (PKK) through television programmes broadcast between 2006 and 2010. The domestic courts found it established that the PKK could be considered a terrorist organisation within

the meaning of the Danish Penal Code and that Roj TV A/S had supported the PKK's terror operation by broadcasting propaganda. It was fined and its licence was withdrawn.

[Application declared inadmissible as being incompatible *ratione materiae* with the provisions of the Convention.](#)

Noteworthy pending cases

Grand Chamber

Savran v. Denmark (no. 57467/15)

The case concerns the applicant's complaint that owing to his mental health his rights would be violated if he were to be returned to Turkey.

In its Chamber [judgment](#) of 1 October 2019, the Court held, by four votes to three, that there would be a violation of Article 3 of the Convention if the applicant was removed to Turkey. The Chamber found in particular that psychiatrists had recommended that the applicant receive close monitoring and follow-up in order to make his treatment effective and allow for his reintegration into society after committing a serious offence. It had doubts about the applicant receiving such care in Turkey, where moreover he had no family network and would need a regular and personal contact person to help him. Given such doubts, the Danish authorities needed to obtain sufficient and individual assurances on his care, otherwise removing him would violate Article 3. The Chamber further found that it did not need to carry out a separate examination of a complaint by the applicant under Article 8 of the Convention.

[Case referred to the Grand Chamber in January 2020](#)

[A grand Chamber hearing took place on 24 June 2020](#)

M.A. v. Denmark (no. 6697/18)

The case concerns a Syrian national's complaint that the Danish authorities refused his request for family reunion with his wife.

On 7 September 2018 the Danish Government was given [notice](#) of the application, with questions from the Court. The applicant complains that the refusal to grant his wife a residence permit in

Denmark based on family reunion was in breach of his rights under Article 8 (right to family life) of the Convention and Article 14 (prohibition of discrimination) in conjunction with Article 8 .

Third party submissions have so far been received from the Council of Europe Commissioner for Human Rights, the United Nations High Commissioner for Refugees,

Norway, Switzerland and the Danish Institute for Human Rights.

The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber on 19 November 2019.

A Grand Chamber hearing took place on 10 June 2020

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